

State of Maine
Division of Purchases
Policy on Contract Renewals and/or Amendments

1. **Renewals** - Original Contracts resulting directly from a competitive Request for Proposals (RFP):
 - a. The State's standard is a one (1) year initial contract, which may be renewed for as many as 3 additional years. The scope of any renewals must have been anticipated in the original RFP. Additions to the scope must be treated as separate procurements, subject to competitive bidding or, rarely, appropriate sole source justification. Incumbency will not justify sole source.
 - b. If a contract has an initial 2 year time frame, it can be extended for one additional 2 year time period.
 - c. An RFP can establish a potential contracting relationship of longer than four years **ONLY** if:
 1. The contract's start-up investment required is so large that spreading those costs over only four years is not in the State's best interest, **AND**
 2. A longer potential term has received prior approval from the State Purchases Review Committee, **AND**
 3. The longer potential term is specified in the original RFP.
 - d. No extensions beyond the time frames identified in the original RFP will be granted without the express written consent of the State Purchases Review Committee. Such written consent will be requested solely at the discretion of the State Purchasing Agent or his/her designee.
2. **Amendments** –
 - a. Fixed Cost Contracts
 1. Fixed Cost Contracts cannot be amended to add funds to complete the originally contracted work. Vendors must complete all contracted work for the agreed-upon cost.
 2. Increases in scope, up to \$10,000.00, may be added at the discretion of the Contract Administrator or his/her designee.
 3. Increases in scope over \$10,000.00 must be treated as separate procurements, subject to competitive bidding or, rarely, appropriate sole source justification.
 4. Fixed Cost Contracts may be amended to add time to complete the original work in situations when unforeseen forces beyond the vendor's control have made it impossible to complete the work within the original timeframe. The Contract Administrator must exercise his/her discretion regarding such amendments.
 5. Fixed Cost Contracts may be amended to revise the scope of work within the existing dollar value at the discretion of the Contract Administrator.
 6. All contract amendments are subject to review and approval by the State Purchases Review Committee or its designee before they can be considered valid, enforceable documents.

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b Fee-for-Service Contracts

1. Fee-for-Service Contracts may be amended to add funds to purchase additional *units* of service within the parameters of the original contract. For example, if the original contract is to provide a specific service in a specific geographic area, the contract may be amended if additional services are found to be needed in that area. The contract may not be amended to add funds to provide services in a *different* geographic area.
2. Fee-for-Service Contracts may be amended to refine the scope of the originally purchased service.
3. Fee-for-Service Contracts may not be amended to add new services. Any new services must be treated as separate procurements, subject to competitive bidding or, rarely, appropriate sole source justification.
4. Fee-for-Service Contracts may be amended to add time to complete the original work in situations when unforeseen forces beyond the vendor's control have made it impossible to complete the work within the original timeframe. The Contract Administrator must exercise his/her discretion regarding such amendments.
5. All contract amendments are subject to review and approval by the State Purchases Review Committee or its designee before they can be considered valid, enforceable documents.